

REMARKS/ARGUMENTS

Claim 1 was pending in the present application. Claim 2 was previously cancelled. New claims 3-12 are added in the present response. No new matter has been added.

The foregoing amendment and the following arguments are provided to impart precision to the newly added claims, in view of the rejection to the original Claim 1 in response to the Office Action mailed May 30, 2006, by more particularly pointing out the invention, rather than to avoid prior art.

35 USC §102 REJECTIONS

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Osborn (US Patent No. 6,931,555).

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant's independent claims include limitations that are not disclosed in Osborn. As a result, applicant's claims are patentable over Osborn. In particular, Applicant's independent claims 1, 11 and 12 includes the limitation, or limitation similar thereto, of:

determining a power consumption level of the one or more devices coupled to a surface, by a management system of the surface; and

controlling a level of power delivered to the surface the one or more devices is coupled to, by the management system of the surface, based on the determined power consumption level of the one or more devices. (Claim 1.)(emphasis added.)

The limitations set forth above, “controlling a level of power delivered to the surface the one or more devices is coupled to..., based on the determined power consumption level of the one or more devices” is not discussed in Osborn. Osborn is limited to switching a power supplying component on or off (two states) depending on whether the devices using that power supply require power rather than delivering adequate power based on the predicted power consumption of each of the associated devices. For example, Osborn discusses:

Each power module is coupled to the power controller for each component its associated component makes use of. It sends signal to that power controller indicating whether or not its associated component wishes to make use of the component coupled to that power controller. The power controller switches its component to a low or high power state in dependence on its received signals (Abstract).

Each power module can put a Yes/No vote to the power controller and the power controller has a portion which detects these votes to determine whether or not the hardware component is currently require to be powered up or powered down. When all the input votes indicate that is should be powered down the power controller initiates powering down of the hardware component. Otherwise, it remains in its powered up state. (Col 4, lines 21-28).

As stated above, Osborn discusses leaving the power supply on when at least one of the associated devices indicates a power on, and shuts the power off when all of the associated devices indicate a power off (two power levels). However, Osborn does not discuss delivering the power as needed by the associated devices (multiple power levels) as claimed in applicant’s independent claim 1, 11, 12. Thus, Applicant’s independent claims are not anticipated by Osborn.

Furthermore, the remaining claims are dependent claims that include the distinguishing limitations of the independent claims, as discussed above. Therefore, applicant’s dependent claims are also not anticipated by Osborn.

CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to contact the undersigned.

Please charge any fee deficiencies, or credit any overpayments to Deposit Account No. 50-2638.

Respectfully submitted,

Date: November 30, 2006

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